

321—25.25(231C) Criteria for granting occupancy and retention waivers. DIA shall use the following criteria in granting a waiver:

1. It is the informed choice of the tenant or the tenant's legal representative, if applicable, to remain in the program; and
2. The program is able to obtain the staff necessary to meet the tenant's service needs in addition to the service needs of the other tenants; and
3. The waiver shall not jeopardize the health, safety, security or welfare of the tenant for whom the waiver is being requested, program staff, or other program tenants.